



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 WRIT PETITION NO.12611 OF 2025

Nilesh Bapurao Godhane and others
VERSUS
The State of Maharashtra Through Its Secretary and others

...

AND

914 WRIT PETITION NO.13537 OF 2025

Lalita Madhavrao Dongre And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

...

AND

915 WRIT PETITION NO.13538 OF 2025

Venkat Hullapa Akkemed And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

...

AND

927 WRIT PETITION NO.13552 OF 2025

Mithun Babulal Yadav And Others
VERSUS
The State Of Maharashtra Through Its Secretary And Others

...

Mr. Shailesh S. Gangakhedkar h/f Mr. Suvidh S. Kulkarni, Advocate for the Petitioners in all the matters.

Ms. S. S. Joshi, Mr. S. B. Pulkundwar, AGP for Respondent Nos.1 to 4/State in respective matters.

Mr. S. B. Pulkundwar, Advocate for Respondent Nos.5 and 6 in all the matters.

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**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 14 NOVEMBER 2025

ORDER :

. Issue notice to the respondents. Learned AGP waives notice for respondent Nos.1 to 4. Learned Advocate Mr. S. B. Pulkundwar waives notice for respondent Nos.5 and 6.

2. The petitioners are the teachers and according to them they have given disability certificates in view of the Government Resolution and there was some concession for the persons, who have earned disability, in the transfer policy. According to the petitioners, they had submitted the disability certificates issued by the appropriate government authority and yet they are now asked to remain present before the Board for getting their disability assessed.

3. What we could gather from the contentions is that the entry of the petitioners in the service was not on the basis of any disability, but as a normal healthy person and now they had filed the disability certificates. Though those certificates have been issued by the government authorities, yet in the pleadings there is absolutely no averment as to when the respective petitioner had incurred the disability. We, therefore, direct the

petitioners to file affidavits in respect of each of the petitioner as to when they incurred the disability, what was the reason, which should be then supported by the documentary evidence of that year. Such affidavits to be filed within a period of two weeks from today. Copies of the same be given to the other side advance.

4. Place the matters for further consideration on 04.12.2025.

5. Till then, the respondent authorities should not insist upon the examination of the petitioners at J.J. Hospital, Mumbai or by the Divisional Deputy Director or by the Medical Board.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm